

## Message Text

CONFIDENTIAL

PAGE 01 DURBAN 00081 022026Z  
ACTION L-03

INFO OCT-01 AF-08 EUR-12 ISO-00 DHA-02 CIAE-00 DODE-00  
PM-04 H-01 INR-07 NSAE-00 NSC-05 PA-01 PRS-01 SP-02  
SS-15 USIA-06 CU-02 AID-05 IO-13 /088 W  
-----022124 118500 /63

R 241020Z FEB 77  
FM AMCONSUL DURBAN  
TO SECSTATE WASHDC 2497  
INFO AMCONSUL CAPE TOWN  
AMCONSL JOHANNESBURG  
AMEMBASSY PRETORIA  
AMEMBASSY LONDON  
USUN NEW YORK 205

C O N F I D E N T I A L DURBAN 81

CAPE TOWN FOR EMBASSY

E.O.11652: GDS  
TAGS: PINT PINS SEDU SHUM SF  
SUBJECT: LEGAL STATUS OF CHURCH SCHOOLS' ENROLLMENT OF BLACK  
STUDENTS IN NATAL

REF: A.STATE 35096, B. CAPE TOWN 242

1. NATAL REGULATION GOVERNING WHITE EDUCATION IS NATAL EDUCATION  
ORDINANCE (NO. 46 OF 1969) WHICH WAS FRAMED IN TERMS OF THE  
NATIONAL EDUCATION POLICY ACT (NO. 39 OF 1967). THE LATTER  
REQUIRED ALL PROVINCIAL EDUCATION ORDINANCES TO CONFORM TO GUIDELINES  
ENUMERATED IN THE ACT INCLUDING ONE DIRECTING THAT PROVINCIAL  
DIRECTORS OF EDUCATION ARE RESPONSIBLE FOR WHITE EDUCATION ONLY.  
THE NATAL EDUCATION ORDINANCE (SECTION 13) SPECIFICALLY STATES  
THAT PRINCIPALS ARE TO ADMIT STUDENTS UPON PROOF OF WHITE PARENT-  
HOOD ONLY, AND THAT THE NATAL DIRECTOR OF EDUCATION IS RESPONSIBLE  
FOR EDUCATION OF WHITES ONLY. THUS IT WOULD APPEAR TO BE AS  
THEORETICALLY UNACCEPTABLE, FROM A REGULATIONS VIEWPOINT, FOR BLACKS  
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 DURBAN 00081 022026Z

TO ENTER NATAL SCHOOLS AS FOR THEM TO ENTER SCHOOLS IN CAPE OR  
TRANSVAAL PROVINCES.

2. DIFFERENCE IN NATAL IS THAT UNITED PARTY WHICH RUNS PROVINCIAL  
GOVERNMENT IS NOT FORCING THE ISSUE, MOST LIKELY OUT OF CUSTOMARY  
DEFIANCE AT NATIONAL PARTY INTERFERENCE IN PROVINCIAL  
AFFAIRS. (FYI NATAL GOVERNMENT IS RUN BY AN EXECUTIVE COMMITTEE-

EXCO - CONSISTING OF OUR UNITED PARTY MEMBERS AND A NATIONAL PARTY-APPOINTED CHAIRMAN WHO VOTES BUT DOES NOT POSSESS VETO POWERS. ADMINISTRATOR OF NATAL (B. HAVEMANN) THUS IS ESSENTIALLY A FIGUREHEAD, ESPECIALLY COMPARED WITH HOMOLOGUES IN NAT-RUN PROVINCES.) WITH FULL BACKING OF UP MEMBERS IN NATAL EXCO, ITS REPRESENTATIVE FOR EDUCATION (ROGER WHITELY) HAS PUBLICLY INDICATED THAT NATAL GOVERNMENT WILL NOT "SNOOP" IN PRIVATE SCHOOLS TO CHECK ON RACIAL COMPOSITION, MAKING ORDINANCES WITHOUT FORCE FOR SUCH BODIES. SENIOR UP MEMBER OF NATAL EXCO HAS TOLD US THAT THIS POSITION IS TENABLE SINCE EDUCATION MINISTER KOORNHOF IS DODGING THE ISSUE HIMSELF. THE NATAL DEPT OF EDUCATION REPORTEDLY HAS EXPRESSED ITS CONCERN THAT IT MAY BE CONSIDERED IN VIOLATION OF BOTH NATIONAL AND PROVINCIAL POLICY AND REGULATION, BUT HAS BEEN TOLD THAT THE DEPT IS NOT RESPONSIBLE FOR POLITICAL POSITIONS TAKEN BY THE PROVINCE'S POLITICAL LEADERS SUCH AS WHITELY.

3. IN RESPONSE TO DEPT'S QUESTIONS, IN REF A, PARA 1, ONLY WHITE PUBLIC AND PRIVATE SCHOOLS UNDER NATAL EXCO JURISDICTION, WHEREAS COLORED, BLACK, AND INDIAN SCHOOLS UNDER JURISDICTION OF RESPECTIVE MINISTRIES. LAW PERMITS EXCEPTIONS TO ORDINANCE BY APPLICATION FOR SPECIAL PERMIT, BUT NONE HAVE BEEN APPLIED FOR. SINCE EXCO UNWILLING TO ENFORCE ORDINANCE, NO PERMITS WILL BE NEEDED FOR FORSEEABLE FUTURE.

4. REF A PARA 2- PRESENT TALKS BETWEEN RELIGIOUS LEADERS AND MIN OF EDUCATION COULD LEAD TO SUCH CHANGES, BUT NO DECISION YET ANNOUNCED.

5. REF A PARA 3- ANGLICAN AND METHODIST SCHOOLS MOVING MORE SLOWLY  
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 DURBAN 00081 022026Z

THAN CATHOLICS IN PART BECAUSE THEY ARE NOT ADMINISTERED BY CHURCH DIRECTLY AS CATHOLIC SCHOOLS ARE. ARCHBISHOP DENIS HURLEY TOLD CONOFF THAT ANGLICANS AND METHODISTS WISH TO OPEN SCHOOLS TO ALL RACES, BUT SINCE MANY SCHOOL ADMINISTRATORS AND BOARD MEMBERS ARE NON-CLERICS, THEY ARE BEING MORE CAREFUL ABOUT INITIATING CHANGE.

6. REF A PAR 4- FIVE SCHOOLS IN NATAL HAVE ADMITTED BLACKS; THREE OTHERS HAVE ANNOUNCED THEIR COMMITMENT TO DO SO. NO CHILDREN OF DIPLOMATS ARE INVOLVED, ALTHOUGH TRANSKEI CONSUL HAS STATED TO PRESS THAT HE WAS SEEKING A WHITE SCHOOL TO SEND HIS CHILDREN TO WHEN HE MOVED INTO HOME IN WHITE SUBURBS.

7. REF A PAR 5- NA

8. REF A PARA 6- NA

9. REF A PARA 7- DISCUSSED IN DETAIL CAPE TOWN 2&2

10. REF A PARA 8- ARCHBISHOP HURLEY TOLD CONOFF THAT WHILE THERE

IS EMPLOYMENT OF BLACKS IN SCHOOLS, OLD AGE HOMES, ETC., IT IS MAINLY IN LOWER LEVEL, NON-TEACHING POSITIONS. HE STATED THAT CHURCH IS COMMITTED TO OPENING ALL FACILITIES TO ALL RACES, BUT THAT IT WOULD MOVE MORE SLOWLY PENDING GOVERNMENT ACTION IN SCHOOLS QUESTION. CHURCH HAS ALREADY INTEGRATED ALL CONVENTS AND MONASTERIES, BUT SINCE THIS HAS BEEN UNPUBLICIZED, IT HAS NOT BECOME AN ISSUE.

11. PRESS COMMENT POUCH FEB 24.  
FARBER

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CATHOLICS, LAW, CHURCH STATE RELATIONS, CHURCH SCHOOLS, DESEGREGATION  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 24-Feb-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977DURBAN00081  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D770072-0307  
**Format:** TEL  
**From:** DURBAN  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1977/newtext/t19770214/aaaaamlf.tel  
**Line Count:** 125  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** f370c1bf-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION L  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 77 STATE 35096, 77 CAPE TOWN 242  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 08-Feb-2005 12:00:00 am  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 3244347  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** LEGAL STATUS OF CHURCH SCHOOLS' ENROLLMENT OF BLACK STUDENTS IN NATAL  
**TAGS:** PINT, PINS, SEDU, SHUM, SF  
**To:** STATE  
**Type:** TE  
**vdkgvwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/f370c1bf-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009